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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/633,801	08/07/2000	George Hsu	P417CIP	3013
24739	7590	08/22/2005	EXAMINER	
CENTRAL COAST PATENT AGENCY PO BOX 187 AROMAS, CA 95004			BAYARD, DIENANE M	
			ART UNIT	PAPER NUMBER
			2141	

DATE MAILED: 08/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/633,801

Applicant(s)

HSU, GEORGE

Examiner

Djenane M. Bayard

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to amendment 6/08/05 in which claims 19-28 are pending.

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive. Therefore, the rejection stand as stated in the previous office action.

3. As per claim 19, Applicant argues that Johnson fails to teach sensing and actuating subsystems at individual s one of the home automated systems and appliances. However, Johnson clearly teaches wherein The Internet based home communications system 10 broadly comprises a plurality of control devices 40 positioned within a home, a control unit 30 in communication with the plurality of control devices 40 wherein the control unit 30 is connected to a global computer network 12 (i.e. Internet), and a data center 20 having server computers connected to the global computer network 12 and in communication with the control unit 30. The control devices 40 may be comprised of various units such as lighting controls 42, heating controls 44, moisture controls 46, freeze controls 48, pet feeding devices 50, propane gauge 54, interior cameras 56, exterior cameras 58, security system 60, smoke alarms 62, health monitoring devices 64 and various other devices that can be utilized to monitor and control the home. The homeowner is capable of monitoring and controlling the control device within the home by accessing a web page displayed by the data center 20 through a conventional web browser 14 on a computer. The homeowner can view, monitor and control features of their

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home through the web page such as viewing interior images 74 of their home or adjusting the thermostat for the interior of their home (See col. 4, lines 16-37). Furthermore, Johnson teaches wherein the control devices 40 may be capable of receiving, storing and transmitting data to and from the control unit 30 depending upon the desired usage. For example, the lighting controls 42 would mainly receive data from the control unit 30 directing the lighting controls 42 to turn on specific lighting or to turn off specific lighting. It can be appreciated that the lighting controls 42 may be capable of transmitting data to the control unit 30 regarding which lights are activated and deactivated which is forward to the data center 20 through global computer network 12. The various other control devices 40 are capable of receiving, storing and transmitting data as required for their specific operation and programming (See col. 5, lines 40-52). Furthermore, Applicant argues that Johnson fails to teach “two separate servers, one for providing the customized user interface and another for receiving communication from the first server and for connecting to the base station”. However, Johnson teaches two separate servers, “a control unit in communication with the plurality of control devices wherein the control unit is connected to a global computer network (See col. 4, lines 18-22) and “a data center comprised of one or more server computers in communication with a global computer network ... the data center is capable of receiving, storing and transmitting carious software, music ... (See col. 4, lines 41- 53). Furthermore, Applicant argues that the “the user can access control panel from any one of enabled sites frequented”. However, the claimed language failed to teach such limitations. Furthermore, Applicant argues that Johnson fails to teach “commands made at the second server are communicated to the first server which in turns controls the base station at the home.” However, Johnson clearly teaches wherein “the control unit uploads the requested

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data to the data center and receives any commands from the data center that the homeowner previously programmed into the data center through the control page (See col. 7, lines 66-67 and col. 8, lines 1-4).

4. As per claim 23 and 28, Applicant argues that Johnson fails to teach wherein the unrelated services provided by the second server comprise one of banking services, search services, security exchange services or personal data aggregation services. However, Johnson teaches wherein the data center (20) (second server) is connected auxiliary services (80). (See figure 1 and col. 4).

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 19-20, 24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S.

Patent No. 6,580,950 to Johnson et al.

a. As per claims 19 and 24, Johnson et al teaches an Internet based home communication system. Furthermore, Johnson et al teaches an Internet-enabled control system for monitoring and controlling home-automated-systems and appliances at a user's premise, comprising: a base station with Internet connection at the user's premise, the base station in communication with

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sensing and actuating subsystems at individual ones of the home-automated systems and appliances (See col. 4, lines 16-22); a first Internet-connected server communicating over the Internet with the base station, the first server monitoring the sensing subsystems and providing actuating commands to the actuating subsystems through the base station (See col. 4, lines 55-65); a second Internet-connected server providing a set of services to the user not related to control of the home-automated systems and appliances (col. 4, lines 22-24); and an interactive control interface presentable by the second server, providing a control interface to the user at any Internet-connected appliance, enabling the user to access settings, view conditions, and issue commands to the home automated systems and appliances over the Internet to the first server and hence to the base station and the systems and appliances themselves, while connected from the Internet appliance to the second server (See col. 4, lines 41-54); wherein the interactive control interface is personalized to the particular user, provided by prior agreement with the user, and activated by an authentication technique (See col. 6., lines 36-51).

b. As per claim 20 and 25, Johnson et al teaches the claimed invention as described above. Furthermore, Johnson et al teaches wherein the authentication technique comprises a password (See col. 6, lines 40).

c. As per claims 21 and 26, Johnson et al teaches the claimed invention as described above. Furthermore, Johnson et al teaches wherein the authentication technique is by prearrangement with the second server verifying the identity of the user or the Internet appliance controlled by the user (See col. 6, lines 41-43).

d. As per claims 22 and 27, Johnson et al teaches the claimed invention as described above. Furthermore, Johnson et al teaches wherein the interactive interface comprises a window opened from the second server, the window providing information fields and input fields for the user to read conditions at and to provide input to the systems and appliances (See col. 6, lines 61-67 and col. 7, lines 1-3).

e. As per claim 23 and 28, Johnson et al teaches the claimed invention as described above. Furthermore, Johnson et al teaches a data center comprised one or more server computer in communication with a global network such as the Internet that provide many unrelated services (See col. 4, lines 41-44).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Djenane M Bayard whose telephone number is (571) 272-3878.


The examiner can normally be reached on Monday- Friday 5:30 AM- 3:00 PM..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Djenane Bayard

Patent Examiner


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER